

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

THOMAS JAMES CLAUSO, :
Plaintiff, : Civ. No. 18-12217 (NLH) (LHG)
v. : **MEMORANDUM OPINION & ORDER**
WARDEN WILLIE BONDS, et al., :
Defendants. :
:

APPEARANCE:

Thomas James Clauso
59252
South Woods State Prison
215 South Burlington Road
Bridgeton, NJ 08302

Plaintiff pro se

Gurbir S. Grewal, Attorney General of New Jersey
Niccole L. Sandora, Deputy Attorney General
Office of the New Jersey Attorney General
R.J. Hughes Justice Complex
PO Box 116
Trenton, NJ 08625

Counsel for Defendants Willie Bonds, Guard Hansen, and
Guard Martinelli

HILLMAN, District Judge

WHEREAS, Defendants Willie Bonds, Guard Hansen, and Guard
Martinelli have filed a motion for summary judgment on Plaintiff
Thomas Clauso's complaint, see ECF No. 47; and

WHEREAS, Plaintiff alleges Hansen and Martinelli took his medical brace and cane away from him, causing him to be unable to walk, ECF No. 1 at 13; and

WHEREAS, Defendants submit as a material fact not in dispute that Plaintiff did not have active medical orders for those items when they were removed, ECF No. 47-1 ¶ 43; and

WHEREAS, Plaintiff's face sheet, submitted by Defendants as Exhibit A, lists a medical alert: "NEED FOR WHEEL CHAIR OR OTHER DEVICE," ECF No. 47-4 at 2; and

WHEREAS, Defendants have not addressed this discrepancy in their papers; and

WHEREAS, Federal Rule of Civil Procedure 56 permits courts to give parties an opportunity to properly address or support a fact, Fed. R. Civ. P. 56(e)(1),

THEREFORE, IT IS on this 16th day of February, 2021

ORDERED that within 14 days of this Order, Defendants shall file a supplement, including any additional exhibits, addressing the discrepancy between the statement of fact and Plaintiff's face sheet; and it is finally

ORDERED that the Clerk shall send Plaintiff a copy of this Order by regular mail.

At Camden, New Jersey

s/ Noel L. Hillman
NOEL L. HILLMAN, U.S.D.J.